

Senate File 2219 - Reprinted

SENATE FILE 2219
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 3017)

(As Amended and Passed by the Senate February 29, 2016)

A BILL FOR

1 An Act requiring carbon monoxide alarms in certain dwellings
2 and multiple-unit residential buildings, making penalties
3 applicable, and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 100.18, subsection 1, Code 2016, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *0a.* "*Carbon monoxide alarm*" means a device
4 which detects carbon monoxide and which incorporates an
5 alarm-sounding unit operated from a power supply either in the
6 unit or obtained at the point of installation.

7 NEW PARAGRAPH. *0b.* "*Fuel*" means coal, kerosene, oil, fuel
8 gases, or other petroleum products or hydrocarbon products
9 such as wood that emit carbon monoxide as a by-product of
10 combustion.

11 Sec. 2. Section 100.18, Code 2016, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 2A. *a.* Multiple-unit residential buildings
14 and single-family dwellings, the construction of which is begun
15 on or after July 1, 2017, and that have a fuel-fired heater or
16 appliance, a fireplace, or an attached garage, shall include
17 the installation of carbon monoxide alarms in compliance
18 with the rules established by the state fire marshal under
19 subsection 4.

20 *b.* The rules shall require the installation of carbon
21 monoxide alarms in existing single-family rental units and
22 multiple-unit residential buildings that have a fuel-fired
23 heater or appliance, a fireplace, or an attached garage.
24 Existing single-family dwellings that have a fuel-fired heater
25 or appliance, a fireplace, or an attached garage shall be
26 equipped with approved carbon monoxide alarms. For purposes
27 of this paragraph, "*approved carbon monoxide alarm*" means a
28 carbon monoxide alarm that meets the standards established by
29 the underwriters' laboratories or is approved by the state fire
30 marshal as established by rule under subsection 4. A person
31 who files for a homestead credit pursuant to chapter 425 shall
32 certify that the single-family dwelling for which the credit
33 is filed and that has a fuel-fired heater or appliance, a
34 fireplace, or an attached garage, has carbon monoxide alarms
35 installed in compliance with this section, or that such alarms

1 will be installed within thirty days of the date the filing
2 for the credit is made. The state fire marshal shall adopt
3 rules and establish appropriate procedures to administer this
4 subsection.

5 c. An owner of a multiple-unit residential building or
6 a single-family rental unit that has a fuel-fired heater or
7 appliance, a fireplace, or an attached garage, or an owner's
8 agent, shall supply light-emitting carbon monoxide alarms, upon
9 request, for a tenant with a hearing impairment.

10 d. The owner of a building requiring the installation of
11 carbon monoxide alarms under this subsection shall install
12 a carbon monoxide alarm in a location as specified by rules
13 established by the state fire marshal under subsection 4,
14 taking into account the number and location of all fuel sources
15 in the building.

16 Sec. 3. Section 100.18, subsections 4, 6, and 7, Code 2016,
17 are amended to read as follows:

18 4. The state fire marshal shall enforce the requirements
19 of subsection subsections 2 and 2A and may implement a program
20 of inspections to monitor compliance with the provisions
21 of ~~that subsection~~ those subsections. Upon inspection,
22 the state fire marshal shall issue a written notice to the
23 owner or manager of a multiple-unit residential building or
24 single-family ~~dwelling~~ rental unit informing the owner or
25 manager of compliance or noncompliance with this section. The
26 state fire marshal may contract with any political subdivision
27 without fee assessed to either the state fire marshal or the
28 political subdivision, for the performance of the inspection
29 and notification responsibilities. The inspections authorized
30 under this section are limited to the placement, repair, and
31 operability of smoke detectors and carbon monoxide alarms. Any
32 broader inspection authority is not derived from this section.
33 The state fire marshal shall adopt rules under chapter 17A as
34 necessary to enforce this section including rules concerning
35 the placement of smoke detectors and carbon monoxide alarms

1 and the use of acceptable smoke detectors and carbon monoxide
2 alarms. The smoke detectors and carbon monoxide alarms shall
3 display a label or other identification issued by an approved
4 testing agency or another label specifically approved by the
5 state fire marshal.

6 6. If a smoke detector or carbon monoxide alarm is found
7 to be inoperable, the owner or manager of the multiple-unit
8 residential building or single-family ~~dwelling~~ rental unit
9 shall correct the situation within ~~fourteen~~ thirty days after
10 written notification to the owner or manager by the tenant,
11 guest, roomer, state fire marshal, fire marshal's subordinates,
12 chiefs of local fire departments, building inspectors, or other
13 fire, building, or safety officials. If the owner or manager
14 of a multiple-unit residential building or single-family rental
15 unit fails to correct the situation within the ~~fourteen~~ thirty
16 days the tenant, guest, or roomer may cause the smoke detector
17 or carbon monoxide alarm to be repaired or purchase and install
18 a smoke detector or carbon monoxide alarm required under this
19 section and may deduct the repair cost or purchase price from
20 the next rental payment or payments made by the tenant, guest,
21 or roomer. However, a lessor or owner may require a lessee,
22 tenant, guest, or roomer who has a residency of longer than
23 thirty days to provide the battery for a battery operated smoke
24 detector or carbon monoxide alarm.

25 7. No person may render inoperable a smoke detector, or
26 carbon monoxide alarm which is required to be installed by this
27 section, by tampering.

28 Sec. 4. EFFECTIVE DATE. This Act takes effect July 1, 2018.